

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SONIA RIVERA, NORBERTO SEGUINOT, :
JONNATAN REYES, CHRISTOPHER RIVERA, :
ADA MORALES and RAFAEL NIEVES, :
Plaintiffs, :

Case No. 07 - CV - 5999

Assigned to Judge Batts

-against-

AFFIDAVIT TO WITHDRAW

THE CITY OF NEW YORK, :
RAYMOND W. KELLY, individually and as Police: Commissioner, "LIEUTENANT JOHN DOE #1", :
"POLICE OFFICER JOHN DOE #1" through :
"POLICE OFFICER JOHN DOE #10" and :
"POLICE OFFICER JANE DOE #1", the last :
twelve names being fictitious and unknown to :
plaintiffs, the persons or parties intended being :
New York City Police Officers, :
Defendants. :

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STATE OF NEW YORK)
COUNTY OF LIVINGSTON)ss.:

RAFAEL NIEVES, being duly sworn, hereby deposes and states the following:

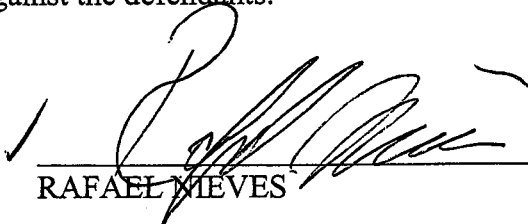
1. That I am over 18 years of age.
2. That I am a domiciliary of the County of the Bronx, City and State of New York.
3. That I am one of the plaintiffs in the above captioned action.
4. That I have been unable to participate with my attorneys, Codelia & Socorro, P.C.,

in the prosecution of my claims in said action.

5. That I respectfully request that the Court enter an order wherein I am withdrawn as a plaintiff in the above captioned action.

6. That I understand that by withdrawing my claims in said action I am relinquishing all of my claims made in the Complaint against the defendants.

Sworn to before me this
26 day of June 2008



RAFAEL MIEVES



NOTARY PUBLIC

MYRNA M. SOCORRO
Notary Public, State of New York
No. 02SO6109100
Qualified in Westchester County
Commission Expires April 26, 2012